

**FILED**

**02/06/2023**

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
Roger A.G. Sharpe, Clerk

## COMPLAINT FORM

(for filers who are prisoners without lawyers)

(revised 10/10/2022)

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF INDIANA, INDIANAPOLIS DIVISION

RAHEEM H. McMILLAN (INDIVIDUALLY  
AND ON BEHALF OF) )  
(Full name of plaintiff(s)) )

L.M., A MINOR, AS NEXT FRIEND )

K.S., AN INFANT CHILD, AS NEXT FRIEND )

v. )

Cause No. 2:23-cv-00056-JPH-MJD

(to be supplied by clerk of court)

SENIOR PAROLE AGENT WILLIAM GARRISON (INDIVIDUAL CAPACITY) )  
(Full name of defendant(s)) )

PAROLE AGENT MEGAN ONEY (INDIVIDUAL CAPACITY) )

PAROLE AGENT STEPHEN WALKER (INDIVIDUAL CAPACITY) )

INDIANA PAROLE BOARD (OFFICIAL CAPACITY)

### A. PARTIES

1. Plaintiff is a citizen of INDIANA, and is located at  
(State)

NEW CASTLE CORRECTIONAL FACILITY P.O. BOX A NEW CASTLE, IN 47362  
(Address of prison or jail)

(If more than one plaintiff is filing, list address on another piece of paper)

2. Defendant SENIOR PAROLE AGENT WILLIAM GARRISON  
(Name)

Is (if a person or private corporation) a citizen of INDIANA  
(State, if known)

ADDITIONAL DEFENDANTS

STRICT 5 PAROLE AGENT MEGAN ONEY

INDIVIDUAL CAPACITY

STRICT 5 PAROLE AGENT STEPHEN WALKER

INDIVIDUAL CAPACITY

INDIANA PAROLE BOARD

OFFICIAL CAPACITY

CHAIRWOMAN OF INDIANA PAROLE BOARD GWENDOLYN HORTH

INDIVIDUAL CAPACITY (FOR ACTS OUTSIDE <sup>STATUTORY</sup> AUTHORITY)

VICE CHAIR OF INDIANA PAROLE BOARD CHARLES F. MILLER

INDIVIDUAL CAPACITY (FOR ACTS OUTSIDE <sup>STATUTORY</sup> AUTHORITY)

ACTING MEMBER OF INDIANA PAROLE BOARD JAMES W. SHAFFER

INDIVIDUAL CAPACITY (FOR ACTS OUTSIDE <sup>STATUTORY</sup> AUTHORITY)

FORMER MEMBER OF INDIANA PAROLE BOARD THOR R. MILLER

INDIVIDUAL CAPACITY (FOR ACTS OUTSIDE <sup>STATUTORY</sup> AUTHORITY)

FORMER MEMBER OF INDIANA PAROLE BOARD FREDRICK A. MEDLEY

INDIVIDUAL CAPACITY (FOR ACTS OUTSIDE <sup>STATUTORY</sup> AUTHORITY)

and (if a person) resides at N/A  
(Address, if known)

and (if the defendant harmed you while performing defendant's job) worked for

INDIANA PAROLE BOARD, PAROLE DISTRICT # 5  
(Employer's name and address if known)

(If you need to list more defendants, use another page)

## B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know

WHEN PLAINTIFF WAS RELEASED TO PAROLE IN MONROE COUNTY, INDIANA ON  
MARCH 9, 2019, SENIOR PAROLE AGENT WILLIAM GARRISON IMPLEMENTED/ENFORCED  
A PAROLE CONDITION RESTRICTING ANY CONTACT WITH HIS MINOR CHILD,  
FROM MARCH 9, 2019 - AUGUST 29, 2019 AND AGAIN ON JANUARY 16,  
2020, VIOLATING PLAINTIFF'S PROCEDURAL DUE PROCESS, SUBSTANTIVE  
DUE PROCESS AND FREEDOM OF ASSOCIATION.

WHEN PLAINTIFF WAS REINSTATED TO PAROLE IN MONROE COUNTY,  
INDIANA ON JANUARY 16, 2020 SENIOR PAROLE AGENT WILLIAM  
GARRISON IMPLEMENTED/ENFORCED A PAROLE CONDITION RESTRICTING  
ANY CONTACT WITH CERTAIN FAMILY MEMBERS VIOLATING  
PLAINTIFF'S PROCEDURAL DUE PROCESS AND FREEDOM OF ASSOCIATION  
FROM JANUARY 16, 2020 - AUGUST 21, 2020

WHILE ON PAROLE IN MONROE COUNTY, INDIANA, PLAINTIFF'S SUPERVISION WAS TAKEN OVER BY PAROLE AGENT MEGAN ONEY, WHO IMPLEMENTED/ ENFORCED A PAROLE CONDITION RESTRICTING PLAINTIFF HAVING ANY CONTACT WITH HIS MINOR CHILD VIOLATING PLAINTIFF'S PROCEDURAL DUE PROCESS, SUBSTANTIVE DUE PROCESS, AND FREEDOM OF ASSOCIATION.

WHILE ON PAROLE IN MONROE COUNTY, INDIANA PLAINTIFF'S PAROLE AGENT MEGAN ONEY IMPLEMENTED/ ENFORCED A PAROLE CONDITION RESTRICTING PLAINTIFF'S CONTACT WITH CERTAIN FAMILY MEMBERS. VIOLATING PLAINTIFF'S PROCEDURAL DUE PROCESS AND FREEDOM OF ASSOCIATION

WHILE ON PAROLE IN MONROE COUNTY, INDIANA, PLAINTIFF'S SUPERVISION WAS TAKEN OVER BY PAROLE AGENT STEPHEN WALKER ON JULY 1, 2020. WHO IMPLEMENTED/ ENFORCED A PAROLE CONDITION RESTRICTING PLAINTIFF HAVING ANY CONTACT WITH HIS MINOR CHILD. VIOLATING PLAINTIFF'S PROCEDURAL DUE PROCESS, SUBSTANTIVE DUE PROCESS AND FREEDOM OF ASSOCIATION. FROM JULY 1, 2020 - AUGUST 21, 2020

WHILE ON PAROLE IN MONROE COUNTY, INDIANA PLAINTIFF'S PAROLE AGENT STEPHEN WALKER IMPLEMENTED/ ENFORCED A PAROLE CONDITION RESTRICTING PLAINTIFF'S CONTACT WITH CERTAIN FAMILY

MEMBERS VIOLATING PLAINTIFF'S PROCEDURAL DUE PROCESS AND  
FREEDOM OF ASSOCIATION FROM JULY 1, 2020 - AUGUST 21, 2020.

WHEN PLAINTIFF WAS RELEASED ON PAROLE ON MARCH 9, 2019,  
AND REINSTATED TO PAROLE ON JANUARY 16, 2020; IN MONROE COUNTY,  
INDIANA. THE INDIANA PAROLE BOARD IMPLEMENTED/IMPOSED  
CONDITIONS RESTRICTING PLAINTIFF CONTACT WITH HIS MINOR CHILDREN.  
VIOLATING PLAINTIFF'S PROCEDURAL DUE PROCESS, SUBSTANTIVE DUE  
PROCESS AND FREEDOM OF ASSOCIATION. PLAINTIFF SEEKS DECLARATORY  
AND INJUNCTIVE RELIEF ENJOINING THE INDIANA PAROLE BOARD FOR  
ONGOING AND/OR FUTURE CONSTITUTIONAL VIOLATIONS.

WHEN PLAINTIFF WAS RELEASED TO PAROLE ON MARCH 9, 2019  
AND REINSTATED TO PAROLE ON JANUARY 16, 2020; IN MONROE  
COUNTY, INDIANA. THE INDIANA PAROLE BOARD FAILED TO ENSURE  
THAT ADDITIONAL CONDITIONS THEY MAY ADOPT UNDER 4-22-2  
WERE IN COMPLIANCE WITH 11-13-3-4(b). VIOLATING PLAINTIFF'S  
PROCEDURAL DUE PROCESS, SUBSTANTIVE DUE PROCESS AND FREEDOM  
OF ASSOCIATION. PLAINTIFF SEEKS DECLARATORY AND INJUNCTIVE  
RELIEF ENJOINING THE INDIANA PAROLE BOARD FOR ONGOING  
AND/OR FUTURE CONSTITUTIONAL VIOLATIONS.

WHEN PLAINTIFF WAS RELEASED TO PAROLE ON MARCH 9, 2019



AND REINSTATED TO PAROLE ON JANUARY 16, 2020; IN MONROE COUNTY, INDIANA. THE INDIANA PAROLE BOARD FAILED TO PROVIDE AN INDIVIDUALIZED ASSESSMENT BEFORE APPLYING ANY PAROLE CONDITIONS OTHER THAN THOSE LISTED IN INDIANA CODE 11-13-3-4 VIOLATING PLAINTIFF'S PROCEDURAL DUE PROCESS AND SUBSTANTIVE DUE PROCESS.

WHEN PLAINTIFF WAS RELEASED TO PAROLE ON MARCH 9, 2019 AND REINSTATED TO PAROLE ON JANUARY 16, 2020; IN MONROE COUNTY, INDIANA. THE PAROLE BOARD VIOLATED PLAINTIFF'S DUE PROCESS AND SUBSTANTIVE DUE PROCESS BY SETTING A STANDARD STATE FORM 49108 AND NOT INSTRUCTING AGENTS AND THEIR SUPERVISOR'S THE CORRECT WAY TO DECIDE WHICH CONDITIONS APPLY TO PLAINTIFF.

WHEN PLAINTIFF WAS RELEASED TO PAROLE ON MARCH 9, 2019 AND REINSTATED TO PAROLE ON JANUARY 16, 2020 IN MONROE COUNTY, INDIANA. GWENDOLYN HORTH (ACTING CHAIRWOMAN OF INDIANA PAROLE BOARD) CHARLES F. MILLER (ACTING VICE CHAIR OF INDIANA PAROLE BOARD) JAMES W. SHAFFER (ACTING MEMBER OF INDIANA PAROLE BOARD) THOR. R. MILLER (FORMER MEMBER OF INDIANA PAROLE BOARD) AND FREDRICK A. MEDLEY (FORMER MEMBER OF INDIANA PAROLE BOARD) IMPLEMENTED / IMPOSED PAROLE CONDITIONS RESTRICTING PLAINTIFF HAVING ANY CONTACT WITH HIS MINOR CHILDREN

EXCEEDING / ACTING OUTSIDE THE SCOPE OF HIS/HER STATUTORY AUTHORITY.

VIOLATING PLAINTIFFS' PROCEDURAL DUE PROCESS, SUBSTANTIVE DUE PROCESS AND  
FREEDOM OF ASSOCIATION.

C. JURISDICTION

☒ I am suing for a violation of federal law under 28 U.S.C. § 1331

OR

☐ I AM SUING UNDER STATE LAW. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$ \_\_\_\_\_

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or any order telling defendants to do something or stop doing something.

PLAINTIFF SEEKS MONETARY DAMAGES IN THE AMOUNT OF \$500,000.00 FROM EACH DEFENDANT SUED IN THEIR INDIVIDUAL CAPACITY; FOR DUE PROCESS SUBSTANTIVE DUE PROCESS AND OTHER CONSTITUTIONAL VIOLATIONS. FOR MENTAL ANGUISH AND/OR EMOTIONAL DISTRESS; PUNITIVE AND FOR COMPENSATORY DAMAGES.

PLAINTIFF SEEKS DECLARATORY AND INJUNCTIVE RELIEF AS TO WHETHER THE INDIANA PAROLE BOARD AND IT'S AGENTS VIOLATED PLAINTIFFS CONSTITUTIONAL RIGHTS; ENJOINING ANY ENFORCEMENT OF CONDITIONS RESTRICTING PLAINTIFFS CONTACT WITH HIS MINOR CHILDREN; ANY JUST RELIEF TO SETTLE THE CLASS ACTIONS CLAIMS; ANY OTHER RELIEF THIS COURT DEEMS NECESSARY.



REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEE

- ☒ I DO request that I be allowed to file this complaint without paying the filing fee. I Have completed a request to proceed in the district court without prepaying the fee and attached it to this complaint.
- ☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing Fee under 28 U.S.C. § 1915 and I have included the full filing fee with this complaint.

E. JURY DEMAND

☒ Jury Demand – I want a jury to hear my case

OR

☐ Court Trial – I want a judge to hear my case

Dated this 31 day of JANUARY, 20 23

Respectfully Submitted,

Rakeem H. McMillan  
Signature of Plaintiff

181901  
Plaintiff's Prison ID Number

NEW CASTLE CORR FACILITY  
Plaintiff's Mailing Address

P.O BOX A NEW CASTLE, IN 47362

(If more than one Plaintiff, use an additional piece of paper)

F. CERTIFICATION (Optional)

Under penalty of perjury, I declare that the facts alleged in this complaint are true and correct to the best of my knowledge and belief.

Rakeem H. McMillan  
Signature of Plaintiff